

Legislation
OIC - 78-0349/45

24 MAR 1978

MEMORANDUM FOR: [REDACTED]
Office of Legislative Counsel
FROM : [REDACTED]
Acting Chief, Policy & Coordination Staff
SUBJECT : Titles V and VI of the Intelligence
Charter Legislation

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We have reviewed your issues paper on Titles V and VI of the Intelligence Charter Legislation. Our comments and positions on the issues are attached.

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Attachment:
As Stated

TITLE V

Issue 1:

We concur with your recommendation on Issue 1 relating to Section 508(a), insofar as the matters pertain to counter-intelligence and counterterrorism intelligence. We wish to raise the point that any criminal investigation requested by a foreign government should not be coordinated with the DNI.

Issue 2:

We concur with your comments regarding Issue 2 covering Section 508, subparagraphs (b) and (c). Again, as in our comments on Issue 1, we question whether or not the Agency or the DNI should become involved in a strictly criminal matter.

TITLE VI

Issue 1:

We concur with your recommendations relating to Section 613(a), paragraph (12). In addition, we also concur with your suggested additions to Section 613(a)(9), (18) and (21).

Issue 2:

Issue 2 relates to "Section 613" and not Section 614. We concur with your recommended changes in Issue 2.

Issue 3:

Section 621(a) at the present time does not authorize NSA to investigate applicants, etc. It is our understanding that the Defense Investigative Service investigates applicants for NSA. We question whether or not your recommendation for this authority is necessary. We do concur, however, with your recommendation in the second part of Issue 3.

Issue 4:

Section 631(a) concerns the designation by the President that entities of the Government authorized to request and receive signals intelligence information. We agree with your recommendation that the DNI should be charged with having an input in this process and we concur with your recommendations.

Issue 5:

We concur with your recommendations concerning Section 662. We have an additional recommendation concerning paragraph (d) of 662. We suggest that in the first sentence of paragraph (d) that the phrase "after review by the Director" be deleted and that in lines 8 and 9 the phrase "after review by the Director" also be deleted. With regard to your recommendation that Subsection 662(a) be deleted we concur with your recommendation and we also concur that if this cannot be done, then the insertion of the phrase "subject to the provisions of this Act" be inserted.